IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NORTH CAROLINA EASTERN DIVISION

NO. 4:03-CR-49-1H

| UNITED STATES OF AMERICA |) | |
|------------------------------|---|-------|
| |) | |
| |) | |
| v. |) | |
| |) | ORDER |
| |) | |
| DAVID ISSAC WORRELL, |) | |
| a/k/a DAVID PATRICK WORRELL, |) | |
| Defendant. |) | |

Defendant's motion to reopen his first 28 U.S.C. § 2255 motion [DE #117] is DENIED. Furthermore, the court finds no substantial issue for appeal concerning the denial of a constitutional right and, therefore, denies a certificate of appealability.

This 1st day of September 2011.

MALCOLM J. HOWARD

Senior United States District Judge

At Greenville, NC #31